GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Social Welfare Department – Promotion of Sri S. Srinivasa Kumar, DSWO to the post of Deputy Director, Social Welfare on ad-hoc basis- Issued.

SOCIAL WELFARE (SER.I) DEPARTMENT

G.O.Ms.No. 21 Dated:01/09/2021

Read the following:

1. Proceedings Rc.No.J2/5 198/98 Dated 23-6-2005 of the Commissioner of Social Welfare.
2. Interim orders dated:22.07.2005 in OA No.3423/2005 of the Hon'ble APAT, Hyderabad.
3. Final orders dated:13.10.2009 in OA No.3423/2005 of the Hon'ble APAT, Hyderabad.
4. Interim orders dated:26.04.2011 in WP No.12035/2011 of the Hon'ble High Court, Hyderabad.
5. Orders dated:21.10.2013 in OA No.3764/2012 of the Hon'ble APAT, Hyderabad.
6. Proceedings No.A1/5357/2011, dated 25.10.2013 of the Commissioner of Social Welfare.
7. Interim orders dated:28.08.2019 in WP No.12334/2019 of the Hon'ble High Court, Hyderabad.
8. G.O.Ms.No.20, S.W. (SER.I) Department, Dated:23.03.2020.
9. Speaking orders_____ of the Commissioner of Social Welfare
10. Orders dated:20.07.2020 in WP No.12035/2011 of the Hon'ble High Court , Hyderabad.
11. Notice dated:07.07.2021 in CC No.685/2021 of the Hon'ble High Court of AP.

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ORDER:

In the reference 1st read above, orders were issued imposing a punishment of 'COMPULSORY RETIREMENT FROM SERVICE' against Sri S.Srinivasa Kumar, ASWO, Narsaraopet, Guntur district for the grave charges of failure to observe the due procedures for drawal and disbursement of scholarship amount to the institutions, recommending sanction of amounts without verifying the existence of boarders, recommending sanction of scholarships to an institution even though there is a sum of Rs.3,47,974/- already sanctioned lying as undisbursed etc., as they were held proved while working as ASWO,Tenali.

2. Aggrieved by the above said order, the individual has filed OA No.3423/2005 before the Hon'ble APAT and the Tribunal in its interim orders dated 22.07.2005 has suspended the proceedings of the Commissioner, Social Welfare dated 23.06.2005 vide ref. 2nd read above.

3. In the reference 3rd read above, the APAT has disposed the OA, modifying

the punishment of compulsory retirement to that of postponement of increments for two (2) years with cumulative effect.

4. Aggrieved by the orders dated:13.10.2009 in OA No.3423/2005, Sri S.Srinivasa Kumar, ASWO has field W.P.No.12035/2011 with a request to direct the Commissioner, Social Welfare not to impose penalty of stoppage of two (2) increments with cumulative effect, pending disposal of W.P and the Hon'ble High Court has passed interim orders on 26.04.2011 as prayed for. The CSW has filed counter affidavit in the said W.P and the case is pending before the Hon'ble High Court.

5. An Appeal was also filed by the CSW against the orders of APAT dated:13.10.2009 in OA No.3423/2005 and same was numbered as W.P.No.16191/2011 which is still pending.

6. In the reference 5th read above, the Hon'ble Tribunal has directed the respondents to consider the case of the applicant for promotion to the post of DSWO. Accordingly, the individual has promoted as DSWO vide ref. 6th read above.

7. In the ref. 7th read above, the Hon'ble High Court has passed interim orders on 28.08.2019, directing the 1st respondent (Government) to consider the name of the petitioner for promotion to the post of Deputy Director of SW Department. ignoring earlier punishment imposed against him. Accordingly, necessary proposals have been placed before the Departmental Promotion Committee for it's recommendation, wherein the name of the individual find placed at SL.No.4 in the seniority list. Based on the recommendations of the DPC, orders were issued vide G.O.8th read above including the name of the individual in the panel of DSWOs for the year 2019-20, but promotion was deferred until termination of the disciplinary proceedings pending against him in terms of the orders issued in G.O.Ms.No.424, GAD, dated:25.05.1976 and G.O.Ms.No.257, GAD, dated:10.06.1999. To that affect, a speaking order has also been issued to the individual vide ref. 9th read above.

8. In the ref. 10th read above, the Hon'ble High Court has disposed the W.P.No.12035/2011 as withdrawn.

9. As the matter stood thus, Sri S. Srinivasa Kumar, DSWO has filed Contempt Case No.685 of 2021 for non compliance of the orders dated:28.08.2019 in W.P.No.12334 of 2019 and the Hon'ble Court have issued notice before admission on 07.07.2021 and posted for 25.08.2021 vide ref. 11th read above. The GP has

advised that the Administrative department may consider to implement the APHC orders dated: 28.08.2019 in W.P.No.12334 of 2019.

10. Since there have been no fresh cases against him ater he was promoted as DSWO and the WP No.16191/2011 filed against the orders of the APAT dated:13.10.2009 in OA No.3423/2005 is still pending and the keeping in view the interim directions of the Hon'ble High Court dated:28.08.2019 in W.P.No.12334 of 2019 to consider the name of the petitioner for promotion to the post of Deputy Director of SW Department, ignoring earlier punishment imposed against him, Government have decided to consider the candidature of Sri Srinivasa Kumar, DSWO for promotion to the post of Deputy Director temporarily under rule 10(a) of the Andhra Pradesh State and Subordinate Service Rules 1996, on ad hoc basis, in the scale of pay of Rs.46060-98440, subject to outcome of the W.P.No.16191 of 2011 and he is liable for reversion at any time without notice and without assigning any reasons thereof.

11. Accordingly, under rule 10 (a) of the Andhra Pradesh State and Subordinate Service Rules 1996, Government hereby promote Sri S. Srinivasa Kumar, District Social Welfare Officer to the post of Deputy Director (Social Welfare) temporarily in the scale of pay of Rs.46060-98440 on ad-hoc basis, subject to outcome of WP No.16191/2011 and he is liable for reversion at any time without notice and without assigning any reasons thereof.

12. On promotion as Deputy Director (Social Welfare), Sri S. Srinivasa Kumar is hereby post as Executive Director, SC Corporation, Kurnool in the existing vacancy.

13. Sri S. Srinivasa Kumar who is considered for promotion as Deputy Director (Social Welfare) in para (11) above, should join within (15) days from the date of receipt of this order. If he fails to join or evades joining by applying leave or otherwise, within the stipulated time, he shall forfeit his rights, both present and future for the post of Deputy Director (Social Welfare), without any notice according to rule 11 (b) of A.P. State and Subordinate Service Rules, 1996 and the amendments issued from time to time thereon.

14. The Director of Social Welfare, Tadepalli, A.P., shall take further necessary action accordingly in the matter and intimate the date of joining of the individual in the promotion post to the Government for information and record.

Kolaventy Sunitha, Ias

Principal Secretary To Government

To
The Director of Social Welfare Department, Tadepalli, Guntur, A.P.
The individual through the DSW, AP.
The District Collector, Ananthapuramu District.
The Government Pleader for Services, Hon'ble High Court, A.P.
The Pay & Accounts officer, A.P. Vijayawada.
The Accountant General, A.P., Vijayawada.
Copy to:
The PS to Hon'ble Minister (SW).
The PS to Prl. Secretary to Govt., (SW)
SF/SC.